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Bill to be entitled an act to  
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several departments

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N.C. General assembly, 1923



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A BILL TO BE ENTITLED AN ACT TO REORGANIZE AND  
CONSOLIDATE THE SEVERAL DEPARTMENTS, BOARDS  
AND COMMISSIONS OF THE STATE OF NORTH CARO-  
LINA.

*The General Assembly of North Carolina do enact:*

SECTION 1. This act shall be known as "The Civil Administra-  
2 tive Code of North Carolina."

SEC. 2. The word "department" as used in this act shall, unless  
2 the context otherwise clearly indicates, mean the several depart-  
3 ments of the State Government as designated in section 3 of this  
4 act, and none other.

SEC. 3. Departments of the State Government shall be the fol-  
2 lowing:

- 3 The Department of Administration;
- 4 The Department of State;
- 5 The Department of Audit and Control;
- 6 The Department of the Treasury;
- 7 The Department of Education;
- 8 The Department of Law;
- 9 The Department of Agriculture;
- 10 The Department of Health;
- 11 The Department of Natural Resources;
- 12 The Department of Labor and Industry;
- 13 The Department of Banking and Insurance;
- 14 The Department of Taxation and Revenue;
- 15 The Department of Highways and Public Works;
- 16 The Department of Welfare;
- 17 The Department of Military Affairs;
- 18 The Department of Public Utilities.

SEC. 4. Each department shall have an officer or officers at its  
2 head who shall, subject to the provisions of this act, execute the

3 powers and discharge the duties vested by law in his or their respec-  
4 tive department as follows:

5 Governor, for the Department of Administration;

6 Secretary of State, for the Department of State;

7 Auditor, for the Department of Audit and Control;

8 Treasurer, for the Department of the Treasury;

9 Superintendent of Public Instruction, for the Department of  
10 Education;

11 Attorney-General, for the Department of Law.

12 The following offices are hereby created or continued:

13 Commissioner of Agriculture, for the Department of Agriculture;

14 Commissioner of Health, for the Department of Health;

15 Commissioner of Natural Resources, for the Department of  
16 Natural Resources;

17 Commissioner of Labor and Industry, for the Department of  
18 Labor and Industry;

19 Commissioner of Banking and Insurance, for the Department of  
20 Banking and Insurance;

21 Commissioner of Taxation and Revenue, for the Department of  
22 Taxation and Revenue;

23 Commissioner of Highways and Public Works, for the Depart-  
24 ment of Highways and Public Works;

25 Commissioner of Welfare, for the Department of Welfare;

26 Adjutant General, for the Department of Military Affairs;

27 Three Public Utilities Commissioners, for the Department of  
28 Public Utilities.

SEC. 5. In addition to the heads of departments mentioned in  
2 section 4, the following executive and administrative officers in the  
3 respective departments shall hold offices hereby created or continued  
4 and designated as follows:

#### IN THE DEPARTMENT OF ADMINISTRATION

5 Director of the budget;

6 Director of purchase and supplies.

#### IN THE DEPARTMENT OF AGRICULTURE

7 Director of extension and the North Carolina Experiment  
8 Station.

SEC. 6. Advisory and non-executive boards, in the respective  
2 departments, are created or continued as follows:

## IN THE DEPARTMENT OF EDUCATION

- 3 Board for Vocational Education, composed of three persons;  
 4 The North Carolina Historical Commission, composed of five  
 5 persons.

## IN THE DEPARTMENT OF AGRICULTURE

- 6 Board of Agriculture, composed of ten persons;  
 7 Joint Committee for Agricultural Work, composed of ten per-  
 8 sons.

## IN THE DEPARTMENT OF HEALTH

- 9 State Board of Health, composed of five persons.

## IN THE DEPARTMENT OF NATURAL RESOURCES

- 10 Commission on Natural Resources, composed of five persons.

## IN THE DEPARTMENT OF LABOR AND INDUSTRY

- 11 Industrial Council, composed of five persons.

## IN THE DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS

- 12 State Highway Commission, composed of nine persons.

## IN THE DEPARTMENT OF WELFARE

- 13 State Board of Charities, composed of five persons;  
 14 Commission on Mental Hygiene, composed of eight persons;  
 15 Public Welfare Council, composed of five persons;  
 16 Advisory Board of Parole, composed of three persons.  
 SEC. 7. The Commissioner of Agriculture shall be a person  
 2 who has had not less than five years of successful experience in  
 3 farming or in teaching agricultural subjects in a college of recog-  
 4 nized standing.  
 5 The Commissioner of Health shall be a person licensed to prac-  
 6 tice medicine and surgery in this State, and shall have had at least  
 7 five years of experience in the practice of medicine and surgery  
 8 and at least three years of practical experience in public health  
 9 work.  
 10 The Commissioner of Natural Resources shall be a successful  
 11 business or professional man who is in no way, officially or per-



12 sonally, connected with any corporation, firm or individual engaged  
 13 in the sale, manufacture or exploitation of the timber, fishing,  
 14 hydro-electric or water-power industries of this State.

15 The Commissioner of Labor and Industry shall be a representa-  
 16 tive citizen.

17 The Commissioner of Banking and Insurance shall be a success-  
 18 ful business or professional man who is in no way, officially or per-  
 19 sonally, interested in any bank, loan and trust company, insurance  
 20 company or other corporation, firm or individual subject, in whole  
 21 or in part, to regulation by the department.

22 The Commissioner of Taxation and Revenue shall be a repre-  
 23 sentative citizen.

24 The Commissioner of Highways and Public Works shall be a  
 25 representative citizen.

26 The Commissioner of Welfare shall be a person who has had not  
 27 less than five years of experience in the field of public charities  
 28 and social welfare.

29 The Adjutant General shall be an officer of not less than five  
 30 years of commissioned service in the national guard, naval militia,  
 31 regular army, United States navy or marine corps; but while  
 32 holding such office the Adjutant General shall not be a member of  
 33 the active national guard or naval militia.

34 No public utilities commissioner or employee of the Department  
 35 of Public Utilities shall be in the employ of or hold any official  
 36 relation to any corporation or person subject, in whole or in part,  
 37 to regulation by the department, nor shall he hold stocks or bonds  
 38 in any such corporation or be in any other manner pecuniarily  
 39 interested therein, directly or indirectly; and if any public utilities  
 40 commissioner or employee shall voluntarily become so interested,  
 41 his office or employment shall *ipso facto* become vacant; and if any  
 42 public utilities commissioner or employee becomes so interested  
 43 otherwise than voluntarily he shall, within a reasonable time, divest  
 44 himself of such interest.

45 The director of the budget shall be a person who has had not less  
 46 than three years of public accounting or is a successful business  
 47 executive.

48 The director of purchase and supplies shall be a person who has  
 49 had not less than five years of successful experience in the purchase  
 50 of materials and supplies on a broad scale.

51 The director of extension and the North Carolina Experiment  
 52 Station shall be a person who has had not less than five years of  
 53 successful experience in farming or in teaching agricultural sub-  
 54 jects in a college of recognized standing.

SEC. 8. The Board for Vocational Education shall consist of  
 2 the Superintendent of Public Instruction as chairman *ex officio*  
 3 and the directors of two bureaus of the Department of Education  
 4 directly related to vocational educational work who shall be ap-  
 5 pointed by him and who shall serve during his pleasure.

6 The Board of Agriculture shall consist of ten persons engaged in  
 7 agricultural industries, not excluding representatives of the agri-  
 8 cultural press, whose terms of office shall be five years, two expiring  
 9 each year. No two members of the board shall reside in the same  
 10 congressional district of the State.

11 The Joint Committee for Agricultural Work shall consist of the  
 12 Commissioner of Agriculture, the president of the North Carolina  
 13 State College of Agriculture and Engineering, four members of the  
 14 Board of Agriculture and four members of said college. The four  
 15 members of the joint committee from each of the two boards shall  
 16 be designated by the board of which they are members respectively,  
 17 and shall serve on the committee during their terms as members of  
 18 the board, unless excused from such service by their respective  
 19 boards.

20 The State Board of Health shall consist of three registered phy-  
 21 sicians, a sanitary engineer and a woman.

22 The Commission on Natural Resources shall in its initial for-  
 23 mation include one member each of the present Fisheries' Com-  
 24 mission Board, the State Geological Board and the Audubon Society  
 25 of North Carolina. Subsequent appointments shall be representa-  
 26 tive of the conservation elements or groups of the State.

27 The Industrial Council shall consist of a manufacturer, a repre-  
 28 sentative of organized labor, a woman, a lawyer, and a registered  
 29 physician.

30 The State Highway Commission shall consist of one resident each  
 31 of the nine highway districts of the State whose term of office shall  
 32 be six years, three expiring every two years. The minority party  
 33 shall be represented on the commission by three members.

34 The State Board of Charities and the North Carolina Historical  
 35 Commission each shall include at least one woman in its mem-  
 36 bership.

37 The Commission on Mental Hygiene shall consist of the presi-  
 38 dents of the boards of trustees and the superintendents of the four  
 39 State institutions for mental defectives, and they shall serve on the  
 40 commission during their terms as board members and superintend-  
 41 ents respectively.

42 The Public Welfare Council shall consist of the chairman of the  
 43 Commission on Mental Hygiene, the superintendent of the State



44 Prison, the Commissioner of Welfare, the Superintendent of Pub-  
 45 lic Education and the Commissioner of Health, who shall be mem-  
 46 bers *ex officio*.

47 The Advisory Board of Parole shall consist of the Attorney-  
 48 General as chairman, the superintendent of the State Prison, and  
 49 the chairman of the Commission on Mental Hygiene, who shall be  
 50 members *ex officio*.

SEC. 9. Each advisory and non-executive board, except as other-  
 2 wise expressly provided in this act, shall, with respect to its field  
 3 of work, or that of the department with which it is associated,  
 4 have the following powers and duties:

5 1. To consider and study the entire field; to advise the executive  
 6 officers of the department upon their request; to recommend, on its  
 7 own initiative, policies and practices, which recommendations the  
 8 executive officers of the department shall duly consider, and to give  
 9 advice or make recommendations to the Governor and the General  
 10 Assembly when so requested, or on its own initiative;

11 2. To investigate the conduct of the work of the department with  
 12 which it may be associated, and for this purpose to have access, at  
 13 any time, to all books, papers, documents, and records pertaining  
 14 or belonging thereto, and to require written or oral information  
 15 from any officer or employee thereof;

16 3. To adopt rules, not inconsistent with law, for its internal con-  
 17 trol and management, a copy of which rules shall be filed with the  
 18 commissioner of the department with which such board is associ-  
 19 ated;

20 4. To hold meetings at such times and places as may be pre-  
 21 scribed by the rules, not less frequently, however, than quarterly;

22 5. To act by a sub-committee, or by a majority of the board, if  
 23 the rules so prescribe;

24 6. To keep minutes of the transactions of each session, regular  
 25 or special, which shall be public records and filed with the head  
 26 of the department.

27 7. To give notice to the Governor and to the head of the depart-  
 28 ment with which it is associated of the time and place of every  
 29 meeting, regular or special, and to permit the Governor and head  
 30 of the department to be present and to be heard upon any matter  
 31 coming before such board.

SEC. 10. Each member of an advisory and non-executive board  
 2 shall serve without salary or other compensation, but he shall re-  
 3 ceive actual expenses incurred in the discharge of his official duties.



SEC. 11. Each department head and administrative officer, except the Attorney-General, shall devote his entire time to the duties of his office, and shall hold no other office or position of profit.

SEC. 12. Each officer whose office heretofore has been elective by statutory enactment or whose office is created or continued by this act shall be appointed by the Governor, by and with the advice and consent of the Senate: *Provided*, confirmation is not required of the appointment of the director of the budget and director of purchase and supplies. In any case of vacancy in such offices during the recess of the Senate, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the Senate, shall hold his office during the remainder of the term and until his successor shall be appointed and qualified. If the Senate is not in session at the time this act takes effect, the Governor shall make a temporary appointment as in case of a vacancy. The Governor shall have the power of removal of any officer appointed by him under this act.

SEC. 12-a. Within thirty days after this act takes effect, the Governor, with the consent of the Senate, shall appoint the members of the North Carolina Historical Commission, the State Board of Health, the Commission on Natural Resources, the Industrial Council and the State Board of Charities respectively as follows: one member for a term of one year, one member for a term of two years, one member for a term of three years, one member for a term of four years, and one member for a term of five years. As the terms of these members first appointed under this section expire, their successors and all members appointed thereafter shall be appointed for a term of five years. All vacancies shall be filled by appointment by the Governor as prescribed in section 12 of this act.

Within thirty days after this act takes effect, the Governor, with the consent of the Senate, shall appoint the members of the Board of Agriculture as follows: two members for a term of one year, two members for a term of two years, two members for a term of three years, two members for a term of four years, and two members for a term of five years. As the terms of these members first appointed under this section expire, their successors and all members appointed thereafter shall be appointed for a term of five years. All vacancies shall be filled by appointment by the Governor as prescribed in section 12 of this act.

24        Within thirty days after this act takes effect, the Governor, with  
 25        consent of the Senate, shall appoint the members of the State High-  
 26        way Commission as follows: three members for a term of two years,  
 27        three members for a term of four years, and three members for a  
 28        term of six years. As the terms of these members first appointed  
 29        under this section expire, their successors and all members ap-  
 30        pointed thereafter shall be appointed for a term of six years. All  
 31        vacancies shall be filled by appointment by the Governor as pre-  
 32        scribed in section 12 of this act.

      SEC. 13. Each officer whose office is created or continued under  
 2        the terms of this act, except as otherwise specifically provided for  
 3        in this act, shall hold office for a term of four years from the first  
 4        day in January next after the election of a Governor, and until  
 5        his successor is appointed and qualified.

      SEC. 14. Each officer whose office is created or continued under  
 2        the terms of this act shall, before entering upon the duties of his  
 3        office, take and subscribe an oath that he will support the Constitu-  
 4        tion and laws of the United States, and of the State of North Caro-  
 5        lina, and that he will faithfully perform the duties appertaining  
 6        to his office, which shall be filed in the office of the Secretary of  
 7        State.

      SEC. 15. Directors or chiefs of bureaus or divisions of depart-  
 2        ments shall be appointed and removed by the department head and  
 3        they shall have power to appoint their subordinates subject to the  
 4        approval of the department head.

      SEC. 16. The head of each department is empowered to pre-  
 2        scribe regulations, not inconsistent with law, for the government  
 3        of his department, the conduct of its employees and clerks, the dis-  
 4        tribution and performance of its business, and the custody, use and  
 5        preservation of the records, papers, books, documents, and property  
 6        pertaining thereto.

      SEC. 17. Each department shall maintain a central office at  
 2        Raleigh. The head of each department may, in his discretion and  
 3        with the approval of the Governor, establish and maintain, at  
 4        places other than the seat of government, branch offices for the con-  
 5        duct of any one or more functions of his department.

      SEC. 18. Each department shall be open for the transaction of  
 2        public business at least from nine o'clock in the morning until five  
 3        o'clock in the evening of each day except Sundays, and, in the dis-  
 4        cretion of the respective department heads, Saturday afternoons  
 5        and legal holidays.

      SEC. 19. Each department shall adopt and keep an official seal.



SEC. 20. Each department is empowered to employ, subject to laws in force at the time employment is made, necessary employees, and, if the rate of compensation is not otherwise provided for, or fixed by law, to fix such compensation.

SEC. 21. All employees in the several departments shall render not less than seven hours of labor each day, Saturday afternoons, Sundays, and legal holidays excepted: *Provided*, such exceptions, in the judgment of the department head, do not impair the public service.

SEC. 22. Each employee in the several departments shall be entitled during the calendar year to thirty days leave of absence with full pay, which leave shall include the vacation period, and absence on account of illness or for other than official business. In special and meritorious cases where to limit the annual leave with full pay to thirty days in any one calendar year would work peculiar hardship, it may, in the discretion of the Council of State, be extended not to exceed a total of more than three months.

SEC. 23. Salaries of State employees shall be paid in monthly installments.

SEC. 24. No employee in the several departments, employed at a fixed compensation, shall be paid for any extra services unless expressly authorized by law.

SEC. 25. Every officer and employee employed on a full-time basis at the time this act takes effect shall be assigned to a position in the proper department mentioned in section 3 of this act, having, so far as possible, duties equivalent to his former office or employment, but this section shall not be construed to require the retention of more employees than are necessary to the proper performance of the functions of the departments.

SEC. 26. Each department head, except the Governor, shall annually, on or before the first day of December, and at such other times as the Governor may require, report in writing to the Governor concerning the condition, management and financial transactions of his respective department. The departments shall make annual reports and biennial reports to the Governor at the time prescribed in this section, and at no other time.

SEC. 27. The heads of departments shall devise a practical and working basis for co-operation and co-ordination of work, eliminating duplication and overlapping of functions. They shall, so far as practicable, co-operate with each other in the employment of services and the use of quarters and equipment. The head of any department may empower or require an employee of another de-

7 partment, subject to the consent of the superior officer of the  
8 employee, to perform any duty which he might require of his own  
9 subordinates.

SEC. 28. The heads of the departments other than the Depart-  
2 ment of Administration shall constitute the Governor's cabinet, and  
3 they shall meet and advise with the Governor not less frequently  
4 than once each month: *Provided*, that the powers and duties of the  
5 Council of State shall not be abridged thereby.

SEC. 29. The gross amount of money received by every depart-  
2 ment, from whatever source, belonging to or for the use of the  
3 State, shall be paid into the State Treasury currently and in no  
4 instance later than the third day of the calendar month next fol-  
5 lowing, without any deduction on account of salaries, fees, costs,  
6 charges, expenses or claim of any description whatever; such re-  
7 ceipts shall be deposited solely and directly with the State Treas-  
8 urer and shall be accompanied by an itemized statement showing  
9 from what sources and under what statutes such receipts have been  
10 collected, and a copy of said statement shall at the same time be  
11 filed in the Department of Audit and Control. No money belong-  
12 ing to, or for the use of, the State shall be expended or applied by  
13 any department except in consequence of an appropriation made  
14 by law and upon the warrant of the State Auditor.

SEC. 30. In the construction of buildings for the several depart-  
2 ments and all State institutions, or in doing other construction work  
3 in or about buildings and grounds, exceeding the estimated value  
4 of one thousand dollars, contracts therefor shall be let to the lowest  
5 responsible bidder. Supplies and equipment for the several de-  
6 partments, the State charitable, penal and reformatory institutions  
7 and State normal schools, except in cases of emergency and in the  
8 case of perishable goods, shall be purchased in large quantities,  
9 and contracts therefor shall be let to the lowest responsible bidder.  
10 Advertisements for bids for doing such construction work, or fur-  
11 nishing such supplies, shall be published for at least three days,  
12 the first and last of which publications shall be at least ten days  
13 apart, in one or more newspapers of general circulation published  
14 in each of the seven largest cities of the State, determined by the  
15 then last preceding Federal census. The proposals shall be publicly  
16 opened on the day and hour and at the place mentioned in the  
17 advertisement, and any and all bids may be rejected, and when  
18 rejected a re-advertisement shall be made in the manner above  
19 described.

SEC. 31. All supplies of fuel purchased for the departments  
2 and institutions shall be let by contract to the lowest responsible



3 bidder. Advertisements for bids shall be published in the manner  
4 prescribed in section 30. The officer authorized by law to make  
5 contracts for fuel shall prescribe rules and regulations to be ob-  
6 served in the preparation, submission and opening of bids. All  
7 contracts for fuel shall be made subject to the approval of the  
8 Governor.

SEC. 32. Whenever in this act power is vested in a department  
2 to inspect, examine, secure data and information, or to procure  
3 assistance from another department, a duty is hereby imposed upon  
4 the department upon which demand is made to make such power  
5 effective.

SEC. 33. Whenever rights, powers and duties, which have here-  
2 tofore been vested or exercised by any officer, board, commission,  
3 institution or department, or any deputy, inspector or subordinate  
4 officer thereof, are, by this act, transferred, either in whole or in  
5 part, to or vested in any department mentioned in section 3 of this  
6 act, such rights, powers and duties shall be vested in, and shall be  
7 exercised by, the department to which the same are hereby trans-  
8 ferred, and not otherwise, and every act done in the exercise of  
9 such rights, powers and duties shall have the same legal effect as  
10 if done by the former officer, board, commission, institution or  
11 department, or any deputy, inspector or subordinate officer thereof.  
12 Every person and corporation shall be subject to the same obliga-  
13 tions and duties and shall have the same rights arising from the  
14 exercise of such rights, powers and duties as if such rights, powers  
15 and duties were exercised by the officer, board, commission, depart-  
16 ment or institution, or deputy, inspector or subordinate thereof,  
17 designated in the respective laws which are to be administered by  
18 departments mentioned in section 3 of this act. Every person and  
19 corporation shall be subject to the same penalty or penalties, civil  
20 or criminal, for failure to perform any such obligation or duty, or  
21 for doing a prohibited act, as if such obligation or duty arose from,  
22 or such act were prohibited in the exercise of such right, power or  
23 duty by the officer, board, commission or institution, or deputy,  
24 inspector or subordinate thereof, designated in the respective laws  
25 which are to be administered by the departments mentioned in  
26 section 3 of this act. Every officer and employee shall, for any  
27 offense, be subject to the same penalty or penalties, civil or crimi-  
28 nal, as are prescribed by existing law for the same offense by any  
29 officer or employee whose powers or duties devolve upon him under  
30 this act. All books, records, papers, documents, property, real and  
31 personal, unexpended appropriations or revenues, and pending  
32 business in any way pertaining to the rights, powers and duties so

33 transferred to or vested in a department mentioned in section 3 of  
 34 this act, shall be delivered and transferred to the department suc-  
 35 ceeding to such rights, powers and duties.

SEC. 34. Wherever reports or notices are now required to be  
 2 made or given, or papers or documents furnished or served by any  
 3 person to or upon any officer, board, commission, or institution, or  
 4 deputy, inspector or subordinate thereof, abolished by this act, the  
 5 same shall be made, given, furnished, or served in the same manner  
 6 to or upon the department upon which are devolved by this act the  
 7 rights, powers and duties now exercised or discharged by such offi-  
 8 cer, board, commission, or institution, or deputy, inspector or sub-  
 9 ordinate thereof; and every penalty for failure so to do shall con-  
 10 tinue in effect.

SEC. 35. This act shall not affect any act done, ratified or con-  
 2 firmed, or any right accrued or established, or any action or pro-  
 3 ceeding had or commenced in a civil or criminal cause before this  
 4 act takes effect; but such actions or proceedings may be prosecuted  
 5 and continued by the department having jurisdiction under this  
 6 act of the subject-matter to which such litigation or proceeding  
 7 pertains.

SEC. 36. The following offices, boards, commissions, arms and  
 2 agencies of the State government heretofore created by law are  
 3 hereby abolished, viz.: Printing Commission, State Board of Pen-  
 4 sions, Board of Internal Improvements, Board of Public Buildings  
 5 and Grounds, Budget Commission, Municipal Board of Control,  
 6 State Board of Elections, Board of State Canvassers, State Board  
 7 of Equalization, College Commission for Regulating Degrees, Text-  
 8 Book Commission, State Committee on High School Text-Books,  
 9 State Board of Accountancy, State Board of Architectural Ex-  
 10 amination and Registration, Board of Chiropody (podiatry) Ex-  
 11 aminers, State Board of Chiropractic Examiners, North Carolina  
 12 State Board of Dental Examiners, State Board of Embalmers,  
 13 State Board of Registration for Engineers and Land Surveyors,  
 14 Board of Medical Examiners of the State of North Carolina, North  
 15 Carolina State Board of Examiners in Optometry, State Board of  
 16 Osteopathic Examination and Registration, Board of Pharmacy,  
 17 Board of Examiners of Trained Nurses of North Carolina, North  
 18 Carolina Board of Veterinary Medical Examiners, Trustees of the  
 19 Law Library, Trustees of the State Library, Library Commission  
 20 of North Carolina, North Carolina Appomattox Commission, Leg-  
 21 islative Revision Commission, Crop Pest Commission, State Stand-  
 22 ard Keeper, Board of Trustees of the North Carolina Orthopædic  
 23 Hospital, Quarantine Board at Cape Fear quarantine station,



24 Fisheries' Commission Board, Fish Commissioner, assistant fish  
 25 commissioners, Geological Board, State Geologist, State Forester,  
 26 Board of Commissioners of Navigation and Pilotage, Property and  
 27 Disbursing Officer for the United States, Property and Disbursing  
 28 Officer for North Carolina, Soldier Settlement Board, Child Wel-  
 29 fare Commission, and the Board of Directors of the State Hospital  
 30 for the Dangerous Insane.

## THE DEPARTMENT OF ADMINISTRATION

SEC. 37. The Department of Administration shall have power  
 2 and it shall be its duty:

3 1. To exercise the rights, powers and duties vested by law in the  
 4 Printing Commission;

5 2. To exercise the rights, powers and duties vested by law in the  
 6 Commissioner of Labor and Printing and Assistant Commissioner  
 7 of Labor and Printing pertaining to the supervision of State print-  
 8 ing and administering of the public printing law;

9 3. To exercise the rights, powers and duties vested by law in the  
 10 Board of Public Buildings and Grounds;

11 4. To exercise the rights, powers and duties vested by law in  
 12 State Board of Pensions;

13 5. To exercise the rights, powers and duties vested by law in the  
 14 Budget Commission;

15 6. To exercise the rights, powers and duties vested by law in the  
 16 Board of Internal Improvements;

17 7. To exercise the rights, powers and duties vested by law in the  
 18 North Carolina Appomattox Commission;

19 8. To exercise the rights, powers and duties vested by law in the  
 20 Council of State pertaining to the fixing or adjustment of the com-  
 21 pensation and to the employment of State employees;

22 9. To purchase and supply all fuel for the several departments  
 23 and institutions;

24 10. To purchase and supply light, water and other like office and  
 25 building services for the several departments;

26 11. To procure and supply all furniture, general office equip-  
 27 ment and general office supplies needed by the several departments,  
 28 the State charitable, penal and reformatory institutions and State  
 29 normal schools;

30 12. To procure and supply all clothing, instruments and appa-  
 31 ratus, subsistence and provisions for the several State charitable,  
 32 penal and reformatory institutions and State normal schools;

33 13. To procure and supply all cots, beds, bedding, general room  
 34 and cell equipment, table, kitchen and laundry equipment, agricul-

- 35 tural implements, harness, stable and garage supplies, household  
 36 supplies, periodicals, machinery and tools, medicines and medical  
 37 supplies, plumbing, light and engine supplies, wagons and other  
 38 vehicles and workshop supplies needed by the several State chari-  
 39 table, penal and reformatory institutions and State normal schools;  
 40 14. To purchase and supply all necessary tools, machinery, sup-  
 41 plies and materials used by the State in or about constructing or  
 42 maintaining State highways;  
 43 15. To make contracts for and superintend the telephone and  
 44 telegraph service for the several departments;  
 45 16. To lease, for a term not exceeding two years, storage or ware-  
 46 house accommodations;  
 47 17. To lease, for a term not exceeding two years, office space in  
 48 buildings for the use of the departments;  
 49 18. To have general supervision and care of store rooms and  
 50 offices leased;  
 51 19. To investigate duplication of work of departments and the  
 52 efficiency of the organization and administration of departments,  
 53 and to formulate plans for the better co-ordination of departments;  
 54 20. To publish from time to time, for the information of the  
 55 several departments and of the general public, bulletins of the work  
 56 of the Government.

## THE DEPARTMENT OF STATE

SEC. 38. The Department of State shall have power and it  
 2 shall be its duty:

- 3 1. To exercise the rights, powers and duties vested by law in the  
 4 Secretary of State, his officers and employees, other than those  
 5 rights, powers and duties pertaining to the licensing of motor  
 6 vehicles and the collecting of the gasoline road tax;  
 7 2. To exercise the rights, powers and duties vested by law in the  
 8 Municipal Board of Control;  
 9 3. To exercise the rights, powers and duties vested by law in the  
 10 State Board of Elections;  
 11 4. To exercise the rights, powers and duties vested by law in the  
 12 Board of State Canvassers.

## THE DEPARTMENT OF AUDIT AND CONTROL

SEC. 39. The Department of Audit and Control shall have  
 2 power and it shall be its duty:

- 3 1. To prescribe and require the installation and maintenance of  
 4 a uniform system of bookkeeping, accounting and reporting for the  
 5 several departments, State institutions and counties;



6 2. To prescribe forms for accounts, records, financial reports and  
7 statements for the several departments, State institutions and  
8 counties;

9 3. To supervise, examine and audit the accounts, receipts and  
10 expenditures of the several departments, State institutions and  
11 counties;

12 4. To examine, at any and all times, into the accuracy and  
13 legality of the accounts, receipts and expenditures of the public  
14 moneys and the disposition and use of the public property by the  
15 several departments and State institutions;

16 5. To keep such summary and controlling accounts as may be  
17 necessary to determine the accuracy of the detail accounts and  
18 reports from the several departments and State institutions;

19 6. To examine, at any and all times, the accounts of every private  
20 corporation, institution, association or board receiving appropria-  
21 tions from the General Assembly;

22 7. To report to the Attorney-General for such action, civil or  
23 criminal, as the Attorney-General may deem necessary, all facts  
24 showing illegal expenditures of the public money or misappropria-  
25 tion of the public property;

26 8. To examine and approve, or disapprove, vouchers, bills and  
27 claims of the several departments, and no voucher, bill or claim  
28 of any department shall be allowed without its approval and cer-  
29 tificate;

30 9. To keep necessary records of current prices of supplies and  
31 to analyze and tabulate prices paid and quantities purchased;

32 10. To prepare and report to the Governor, when requested, esti-  
33 mates of the income and revenues of the State;

34 11. To issue all warrants upon the State Treasurer.

## THE DEPARTMENT OF THE TREASURY

SEC. 40. The Department of the Treasury shall have power and  
2 it shall be its duty:

3 1. To receive and account for all moneys paid into the treasury;  
4 but it shall neither levy nor collect *per se* any taxes, license fees or  
5 other revenues;

6 2. To keep records and accounts necessary to control the admin-  
7 istration of funds and properties and for the preparation of re-  
8 ports on assets, liabilities, revenues, surplus and deficit;

9 3. To pay all warrants legally drawn on the treasury by the  
10 Auditor, and no moneys shall be paid out of the treasury except  
11 on the warrant of the auditor;

- 12 4. To designate, after examination and receipt of ample security,  
13 State depository banks;
- 14 5. To make short-term notes in temporary emergencies subject  
15 to approval of the Governor and Council of State: *Provided*, such  
16 notes are made to procure funds in accordance with appropriations  
17 already made by the General Assembly;
- 18 6. To keep records and accounts of all bonds issued, registered,  
19 transferred, exchanged or surrendered, and to issue coupon bonds  
20 in lieu of registered bonds as occasion demands;
- 21 7. To act as treasurer *ex officio* of all State institutions and as  
22 custodian of all State funds;
- 23 8. To report currently to the Auditor the amount of the bonds,  
24 short-term notes or other certificates of indebtedness sold, amount  
25 authorized but unissued, and number and amount of unsigned  
26 bonds and notes on hand.

## THE DEPARTMENT OF EDUCATION

- SEC. 41. The Department of Education shall have power and it  
2 shall be its duty:
- 3 1. To exercise the rights, powers and duties vested by law in the  
4 Text-Book Commission;
  - 5 2. To exercise the rights, powers and duties vested by law in the  
6 State Committee on High School Text-Books;
  - 7 3. To exercise the rights, powers and duties vested by law in the  
8 Library Commission of North Carolina;
  - 9 4. To exercise the rights, powers and duties vested by law in the  
10 Trustees of the State and Document Libraries, the State Librarian,  
11 and assistant;
  - 12 5. To exercise the rights, powers and duties vested by law in the  
13 Trustees of the Law Library, its officers and employees;
  - 14 6. To exercise the rights, powers and duties vested by law in the  
15 College Commission for Regulating Degrees;
  - 16 7. To exercise the rights, powers and duties vested by law in the  
17 State Board of Accountancy;
  - 18 8. To exercise the rights, powers and duties vested by law in the  
19 State Board of Architectural Examination and Registration;
  - 20 9. To exercise the rights, powers and duties vested by law in the  
21 State Board of Chiropody (podiatry) Examiners;
  - 22 10. To exercise the rights, powers and duties vested by law in  
23 the State Board of Chiropractic Examiners;
  - 24 11. To exercise the rights, powers and duties vested by law in  
25 the State Board of Dental Examiners;



26 12. To exercise the rights, powers and duties vested by law in  
27 the State Board of Embalmers;

28 13. To exercise the rights, powers and duties vested by law in  
29 the State Board of Registration for Engineers and Land Surveyors;

30 14. To exercise the rights, powers and duties vested by law in  
31 the Board of Medical Examiners of the State of North Carolina;

32 15. To exercise the rights, powers and duties vested by law in  
33 the North Carolina State Board of Examiners in Optometry;

34 16. To exercise the rights, powers and duties vested by law in  
35 the State Board of Osteopathic Examination and Registration;

36 17. To exercise the rights, powers and duties vested by law in  
37 the Board of Pharmacy;

38 18. To exercise the rights, powers and duties vested by law in  
39 the Board of Examiners of Trained Nurses of North Carolina.

40 19. To exercise the rights, powers and duties vested by law in  
41 the North Carolina Board of Veterinary Medical Examiners;

42 20. To exercise the rights, powers and duties vested by law in the  
43 Historical Commission, its officers and employees other than those  
44 rights, powers and duties vested by this act in advisory and non-  
45 executive boards;

46 21. To exercise the rights, powers and duties vested by law in  
47 the Board for Vocational Education other than those rights, powers  
48 and duties vested by this act in advisory and non-executive boards;

49 22. To exercise the statutory rights, powers and duties vested in  
50 the State Board of Education, its officers and employees, other  
51 than those rights, powers and duties vested by this act in advisory  
52 and non-executive boards.

SEC. 42. The Department of Education shall, wherever the sev-  
2 eral laws regulating professions which are devolved upon the de-  
3 partment for administration so require, exercise in its name, but  
4 subject to the provisions of this act, the following powers:

5 1. Ascertain and pass upon the basic qualifications or eligibility  
6 of applicants for examination in accordance with statutory or  
7 departmental requirements for the respective professions or occu-  
8 pations;

9 2. Conduct examinations to ascertain the qualifications and fit-  
10 ness of applicants to exercise the profession or occupation for  
11 which an examination is held; and pass upon the qualifications for  
12 reciprocal licenses or certificates;

13 3. Prescribe rules and regulations for a fair and wholly impar-  
14 tial method of examination of candidates to exercise the respective  
15 professions or occupations;

16 4. Prescribe rules and regulations defining, for the respective  
 17 professions or occupations, what shall constitute a school, college  
 18 or university, or other institutions, reputable and in good standing,  
 19 and to determine the reputability and good standing of a school,  
 20 college or university, or other institution, reputable and in good  
 21 standing by reference to compliance with such rules and regula-  
 22 tions;

23 5. Conduct hearings on proceedings to revoke, suspend or re-  
 24 fuse renewal of licenses or certificates of persons exercising the  
 25 respective professions or occupations, and to revoke, suspend or  
 26 refuse to renew such licenses or certificates;

27 6. Determine the standards and rules for reciprocal relations  
 28 with other States and to conduct such reciprocal relations for the  
 29 several professions or occupations upon agreement;

30 7. Formulate rules and regulations when required in any act to  
 31 be administered.

32 None of the above enumerated functions and duties shall be  
 33 exercised by the Department of Education, except upon the action  
 34 and report in writing of persons designated and directed by the  
 35 Superintendent of Public Instruction in the manner prescribed  
 36 in this section to take such action and to make such report for the  
 37 respective professions or occupations, as follows:

38 For the accountants, five persons, each of whom has been a cer-  
 39 tified public accountant in this State for a period of not less than  
 40 five years;

41 For the architects, five persons, each of whom has been a regis-  
 42 tered architect in this State for a period of not less than five years,  
 43 not more than two of whom shall be graduates of the same college  
 44 or university;

45 For the chiropodists (podiatrists), five persons, each of whom  
 46 has been a registered chiropodist (podiatrist) and has practiced  
 47 in this State for not less than three years;

48 For the chiropractors, five persons, each of whom has been a  
 49 licensed chiropractor in this State for not less than five years, not  
 50 more than two of whom shall be graduates of the same chiropractic  
 51 college;

52 For the dentists, five persons, each of whom has been a licensed  
 53 practitioner of dentistry or dental surgery in this State for a period  
 54 of not less than ten years, not more than two of whom shall be  
 55 graduates of the same college or university;

56 For the embalmers, five persons, three of whom shall be licensed  
 57 medical practitioners and two licensed embalmers, of not less than  
 58 five years of practical experience;



59 For the engineers and land surveyors, five persons, each of whom  
 60 shall have been engaged in the practice or teaching of his profes-  
 61 sion for a period of not less than ten years, not more than three of  
 62 whom shall be of the same branch of the profession of engineering.  
 63 At least one of said persons shall be a member of the engineering  
 64 faculty of the North Carolina State College of Agriculture and  
 65 Engineering, and at least one shall be a member of the engineering  
 66 faculty of the University of North Carolina;

67 For the medical practitioners, five persons, each of whom has  
 68 been a licensed practitioner of medicine, surgery, or branches  
 69 thereof in this State for a period of not less than ten years, not  
 70 more than two of whom shall be graduates of the same college or  
 71 university;

72 For the optometrists, five persons, each of whom has been a  
 73 licensed optometrist in this State for a period of not less than five  
 74 years, no one of whom is a member of any optical school or college  
 75 or instructor in optometry or person connected in any way there-  
 76 with, or is a manufacturer, jobber or jobbing representative;

77 For the osteopaths, five persons each of whom shall be a licensed  
 78 osteopath in this State for a period of five years, no more than two  
 79 of whom shall be graduates of the same college of osteopathy;

80 For the pharmacists, five persons, each of whom shall be a  
 81 licensed pharmacist in this State, and shall have had at least five  
 82 years practical experience in the dispensing of physicians' prescrip-  
 83 tions since receiving such license;

84 For the trained nurses, five persons, two of whom shall be repu-  
 85 table licensed physicians, and three of whom shall be registered  
 86 nurses in this State who are graduates of a recognized school for  
 87 nurses and have had at least two years experience in educational  
 88 work among nurses;

89 For the veterinary practitioners, five persons, each of whom shall  
 90 be a licensed practitioner of veterinary medicine and surgery in  
 91 this State for a period of not less than ten years, not more than two  
 92 of whom shall be graduates of the same veterinary college;

93 The action or report in writing of a majority of the persons desig-  
 94 nated for any given profession or occupation shall be sufficient  
 95 authority upon which the Department of Education may act;

96 Whenever the Superintendent of Public Instruction is satisfied  
 97 that substantial justice has not been done either in an examination  
 98 or in the revocation or suspension of or refusal to renew a license

99 or certificate, he may order re-examinations or rehearings by the  
100 same or other examiners;

101 Persons to act for the several professions or occupations shall  
102 be designated by the Superintendent of Public Instruction from  
103 lists of names recommended by the several societies, organizations  
104 or associations representing the various professions or occupa-  
105 tions. In the initial appointments the superintendent shall ap-  
106 point for each profession or occupation five persons from a list of  
107 ten names submitted, and in subsequent appointments one person  
108 from a list of three names. In the absence of such lists or recom-  
109 mendations, the superintendent shall independently make desig-  
110 nations. Each person designated shall serve during the pleasure  
111 of the Superintendent.

SEC. 43. All certificates or licenses, whether temporary, perma-  
2 nent or renewal, shall be issued by the department of education, in  
3 the name of such department, with the seal thereof attached.

SEC. 44. The Department of Education shall further exercise  
2 the following powers relating to each profession or occupation:

- 3 1. Receive, account for, and pay in to the State Treasury to the  
4 credit of the general fund all moneys received in the examination  
5 of applicants, the issuance or renewal of licenses, certificates or  
6 related sources. All proper and necessary expenses, including  
7 authorized compensation and travel shall be paid on the warrant of  
8 the Auditor of the State, issued by the Department of Education.
- 9 2. Keep full and complete record of proceedings;
- 10 3. Keep full and complete records of applicants and licensees  
11 for each occupation or profession;
- 12 4. Have custody of all correspondence, papers, records, forms  
13 and other data;
- 14 5. Print or have printed necessary application blanks, and other  
15 necessary forms or supplies, the same to be standardized and  
16 uniform as far as practicable;
- 17 6. Conduct inquiry into such matters as the reciprocal relations  
18 between this and other States, standards of admission and practice,  
19 methods and procedures of other States, extension of supervision  
20 over other professions, occupations, or trades, alleged malpractice,  
21 fraud or misconduct, compensation of examiners, license or renewal  
22 fees;

SEC. 45. Nothing in this act shall waive the requirement of  
2 each licensee to register with the county or local authorities as  
3 provided in the law.



## THE DEPARTMENT OF LAW

SEC. 46. The Department of Law shall have power and it shall be its duty:

1. To exercise the rights, powers and duties vested by law in the Legislative Revision Commission;

2. To act as the sole legal agency of the State and to represent the State in its entirety in all actions, civil, and criminal, in which the State is interested or is a party: *Provided*, that in emergency and when approved by the Governor a department may employ special counsel;

3. To render opinions and rulings when required on questions of law submitted by the General Assembly, the Governor or any State officer;

4. To consult with and advise solicitors on request in relation to their duties;

5. To compare the warrants drawn by the Auditor on the State Treasury with the laws under which they purport to be drawn.

6. To advise the Department of State in the preparation and distribution of ballots, poll books and forms of election returns;

7. To assist the members of the General Assembly in the drafting and revision of all bills, amendments and resolutions.

## THE DEPARTMENT OF AGRICULTURE

SEC. 47. The Department of Agriculture shall have power and it shall be its duty:

1. To exercise the rights, powers and duties vested by law in the Board of Agriculture, its chairman, secretary, officers and employees, other than those rights, powers and duties vested by this act in advisory and non-executive boards and those pertaining to agricultural extension, experimental and research work carried on under agreement with the United States Department of Agriculture;

2. To exercise the rights, powers and duties vested by law in the Crop Pest Commission, its inspectors and other employees;

3. To exercise the rights, powers and duties vested by law in the State Standard Keeper;

4. To administer and enforce all regulatory laws pertaining to agriculture and allied subjects;

5. To supervise, maintain and develop the State museum of agriculture and cultural resources and to administer all laws pertaining thereto;

6. To collect and preserve for the State museum objects of scientific, educational and artistic value, representing past and

20 present fauna and flora, the life and works of man, geological his-  
 21 tory, natural and agricultural resources, and the manufacturing  
 22 and fine arts;

23 7. To distribute in its discretion, to the various educational in-  
 24 stitutions of the State specimens, samples and materials collected  
 25 by it after the same have served the purposes of the Department.

SEC. 48. The Director of Extension and the North Carolina  
 2 Experiment Station shall have power and it shall be his duty;

3 1. To exercise the rights, powers and duties vested by law in the  
 4 Joint Committee for Agricultural Work, its officers and employees,  
 5 other than those rights, powers and duties vested by this act in  
 6 advisory and non-executive boards;

7 2. To direct the extension, experimental and research work of the  
 8 Department of Agriculture;

9 3. To co-operate with the Commissioner of Agriculture, the  
 10 United States Department of Agriculture, and the president and  
 11 board of trustees of the North Carolina State College of Agriculture  
 12 and Engineering on all subjects of common concern and in the  
 13 furtherance and promotion of the agricultural interests of the State.

## THE DEPARTMENT OF HEALTH

SEC. 49. The Department of Health shall have power and it  
 2 shall be its duty:

3 1. To exercise the rights, powers and duties vested by law in the  
 4 State Board of Health, its secretary and executive officer, officers  
 5 and employees, other than those rights, powers and duties vested  
 6 by this act in advisory and non-executive boards;

7 2. To have the general supervision of the interests of the health  
 8 and lives of the people of the State;

9 3. To act as prescribed by law relative to the construction, main-  
 10 tenance and operation of public water supplies, water purification  
 11 works, sewerage systems, and sewage treatment works, and to ex-  
 12 ercise supervision over nuisances growing out of the operation of  
 13 such water and sewage works, and to make, promulgate and enforce  
 14 rules and regulations relating to such nuisances;

15 4. To make examinations into nuisances and questions affecting  
 16 the security of life and health in any locality in the State;

17 5. To make such sanitary investigations as it may from time to  
 18 time, deem necessary for the preservation and improvement of  
 19 public health;

20 6. To enforce the sanitary privy law;



21 7. To make investigations and inquiries with respect to the causes,  
 22 prevention and suppression of disease, especially epidemics, and to  
 23 investigate the causes of mortality and the effect of localities, em-  
 24 ployments and other conditions upon the public health;

25 8. To collect, analyze, interpret and preserve such information  
 26 relative to mortality, morbidity, disease and health, as may be use-  
 27 ful in the discharge of its duties or may contribute to the promotion  
 28 of health or to the security of life in this State;

29 9. To administer and enforce the vital statistics law;

30 10. To administer and enforce the school medical inspection law;

31 11. To take necessary measures for the education of expectant  
 32 mothers, the reduction of infant mortality, and the promotion of  
 33 public health nursing;

34 12. To keep informed of the work of local health officers and  
 35 agencies throughout the State;

36 13. To supervise, aid, direct and assist local health authorities or  
 37 agencies in the administration of the health laws and to encourage  
 38 the establishment of local health departments;

39 14. To maintain chemical, bacteriological and biological labora-  
 40 tories, to make examinations of water, milk, sewage, wastes, and  
 41 other substances, and to make such diagnosis of diseases as may be  
 42 deemed necessary for the protection of the people of the State;

43 15. To determine standards of purity of drinking water for the  
 44 various sections of the State;

45 16. To manufacture or purchase and distribute to citizens of the  
 46 State diphtheria antitoxin, typhoid vaccine, smallpox vaccine and  
 47 other sera, vaccines and prophylactics such as are of recognized  
 48 efficiency in the prevention and treatment of communicable diseases;

49 17. To enlist the co-operation of organizations of physicians and  
 50 other agencies for the promotion of the public health in the im-  
 51 provement of health and sanitary conditions throughout the State;

52 18. To make sanitary, sewage, health and other inspections and  
 53 examinations for the State charitable, penal and reformatory insti-  
 54 tutions and State normal schools;

55 19. To inspect, from time to time, all hospitals, sanitarium, and  
 56 other institutions conducted by county, city, village or township  
 57 authorities, and to report as to the sanitary conditions and needs of  
 58 such hospitals, sanitarium and institutions to the official authority  
 59 having jurisdiction over them;

60 20. To inspect, not less than once a year and oftener if conditions  
 61 require, the sanitary conditions of hotels, restaurants and cafes,  
 62 and enforce the law in relation thereto;

63 21. To promote the information of the general public in all  
64 matters pertaining to public health;

65 22. To print, publish and distribute documents, reports, bulletins,  
66 certificates and other matter relating to the prevention of diseases  
67 and the health and sanitary condition of the State;

68 23. To supervise and direct the administration of the North  
69 Carolina Sanatorium for the Treatment of Tuberculosis and the  
70 North Carolina Orthopædic Hospital, their officers and employees;

SEC. 50. The State Board of Health, shall, in addition to the  
2 power vested by this act in advisory and non-executive boards, have  
3 power:

4 1. To exercise the rights, powers and duties vested by law in the  
5 board of trustees of the North Carolina Orthopædic Hospital, ex-  
6 cept that its action shall be recommendatory. The power of ap-  
7 pointment and removal of the superintendent and general super-  
8 vision over the management of said hospital shall be vested in the  
9 Commissioner of Health.

10 2. To exercise the rights, powers and duties vested by law in the  
11 board of directors of the North Carolina Sanatorium for the Treat-  
12 ment of Tuberculosis except that its action shall be recommenda-  
13 tory. The power of appointment and removal of the superintendent  
14 and general supervision of the management of said sanatorium shall  
15 be vested in the Commissioner of Health.

16 3. To promote the passage of remedial and constructive legisla-  
17 tion for the protection of public health, and to advise in the formu-  
18 lation of health policies and programs.

## THE DEPARTMENT OF NATURAL RESOURCES

SEC. 51. The Department of Natural Resources shall have  
2 power and it shall be its duty:

3 1. To exercise the rights, powers and duties vested by law in the  
4 Fisheries' Commission Board, the Fish Commissioner and assistant  
5 fish commissioners;

6 2. To exercise the rights, powers and duties vested by law in the  
7 Audubon Society of North Carolina and boards of county commis-  
8 sioners relating to the enforcement of the State bird and game laws,  
9 the appointment of bird and game wardens and the issuance of  
10 hunting licenses;

11 3. To exercise the rights, powers and duties vested by law in the  
12 Geological Board, State Geologist and State Forester, except engi-  
13 neering functions relating to the location, construction and main-  
14 tenance of highways and appurtenances;



15 4. To exercise the rights, powers and duties vested by law in the  
16 Board of Agriculture relating to the propagation of fish in the  
17 inland waters of the State;

18 5. To examine and investigate the mineral resources of the State,  
19 the location and development of mines, and geological formations;

20 6. To take all measures necessary and proper to the development  
21 of harbors, navigable streams, ships and water transportation.

22 7. To investigate and study the natural resources of the State  
23 and to prepare plans for the conservation and development of the  
24 natural resources and for that purpose the officers and employees  
25 thereof may enter and cross all lands in this State, doing no dam-  
26 age to private property;

27 8. To co-operate with and advise departments having administra-  
28 tive powers or duties relating to the natural resources of the State,  
29 and to co-operate with similar departments in other States and with  
30 the United States;

31 9. To conduct a natural history survey of the State, giving  
32 preference to subjects of economic importance;

33 10. To study the geological formation of the State with reference  
34 to its resources of coal, ores, clay, building stones, cement, materials  
35 suitable for use in the construction of roads, gas, mineral and  
36 artesian water and other products;

37 11. To publish from time to time, topographical, geological and  
38 other maps to illustrate the resources of the State;

39 12. To publish, from time to time, bulletins giving a general and  
40 detailed description of the geological and mineral resources of the  
41 State;

42 13. To co-operate with the United States Geological Survey in  
43 the preparation and completion of a contour topographical survey  
44 and map;

45 14. To collect facts and data concerning the water resources of  
46 the State.

47 15. To publish, from time to time, the results of its investigations  
48 of the waters of the State to the end that available water resources  
49 of the State may be better known and that the interests of the  
50 people may be safeguarded;

51 16. To co-operate with the university of North Carolina in the  
52 use of scientific staff and equipment;

53 17. To take all measures necessary and proper for the acquire-  
54 ment, protection, preservation and development of State parks,  
55 reservations and sites;

56 18. To take all measures necessary and proper for the preserva-

57 tion, distribution, introduction and restoration of fish, game birds  
58 and other wild birds of the State.

SEC. 52. The Commission on Natural Resources acting as an  
2 advisory and non-executive board shall discharge the following ad-  
3 visory powers and functions:

4 1. Advise relative to the riparian rights of the State, and the  
5 conservation, use and exploitation of water resources and the pro-  
6 mulgation of a State program and policy of water power develop-  
7 ment;

8 2. Advise relative to the protection, conservation and reforesta-  
9 tion of the timber lands of the State, the preservation or acquire-  
10 ment of State parks and sites, and the development of a State park  
11 plan;

12 3. Advise relative to the protection, propagation and culture of  
13 fish, and development of the fishing industry;

14 4. Advise relative to the protection of game birds and other wild  
15 birds;

16 5. Advise relative to the development of mines and mining;

17 6. Advise relative to the development of harbors, navigable  
18 streams, ships and water transportation;

19 7. Advise relative to all matters pertaining to natural history,  
20 geology, water and water resources, forestry, and allied research,  
21 investigational and scientific work;

22 8. Promote the passage of remedial or progressive legislation per-  
23 taining to the natural resources of the State.

## THE DEPARTMENT OF LABOR AND INDUSTRY

SEC. 53. The Department of Labor and Industry shall have  
2 power and it shall be its duty:

3 1. To exercise the rights, powers and duties vested by law in the  
4 Department of Labor and Printing, the Commissioner of Labor  
5 and Printing, the Assistant Commissioner of Labor and Printing  
6 and employees, other than those rights, powers and duties pertain-  
7 ing to State printing.

8 2. To exercise the rights, powers and duties vested by law in  
9 the Board of Commissioners of Navigation and Pilotage;

10 3. To foster, promote and develop the welfare of wage earners;

11 4. To improve working conditions;

12 5. To advance opportunities for profitable employment;

13 6. To collect, collate, assert, systematize and report statistical  
14 details relating to all departments of labor, especially in its relation  
15 to commercial, industrial, social, educational and sanitary condi-



16 tions, and to the permanent prosperity of the manufacturing and  
17 productive industries;

18 7. To collect, collate, assort, systematize and report statistical  
19 details of the manufacturing industries and commerce of the State;

20 8. To acquire information and report upon the general condition,  
21 so far as production is concerned, of the leading industries of the  
22 State;

23 9. To acquire and diffuse useful information on subjects con-  
24 nected with labor in the most general and comprehensive sense of  
25 that word;

26 10. To acquire and diffuse among the people useful information  
27 concerning the means of promoting the material, social and in-  
28 tellectual and moral prosperity of laboring men and women;

29 11. To acquire and diffuse information as to the conditions of  
30 employment, and such other facts as may be deemed of value to  
31 the industrial interests of the State;

32 12. To acquire and diffuse information in relation to the preven-  
33 tion of accidents, occupational diseases and other related subjects.

SEC. 54. The Industrial Council shall, in addition to the power  
2 vested by this act in advisory and non-executive boards, have power,  
3 and it shall be its duty:

4 1. To study labor problems and conditions in various industrial  
5 centers in the State and elsewhere;

6 2. To suggest to the Governor and the General Assembly  
7 remedial and constructive labor legislation;

8 3. To establish in important industries or industrial centers, sub-  
9 councils of employers and employees for the discussion of and relief  
10 from common problems, and the betterment of industrial condi-  
11 tions;

12 4. To appoint a panel of not more than fifty prominent citizens  
13 throughout the State representative of various groups, classes and  
14 areas, from which panel it will select for each specific labor dispute  
15 in which the public welfare is concerned or at the request of the  
16 parties directly engaged, a Board of Arbitration and Conciliation  
17 composed of not more than seven persons: *Provided*, that the action  
18 of such board will be recommendatory and in no way obligatory  
19 upon the parties concerned.

## THE DEPARTMENT OF BANKING AND INSURANCE

SEC. 55. The Department of Banking and Insurance shall have  
2 power and it shall be its duty:

3 1. To exercise all the rights, powers and duties vested by law in  
4 the Department of Insurance, the Commissioner of Insurance, his

5 officers and employees, other than the rights, powers and duties  
6 pertaining to the collection of taxes on the gross premium receipts  
7 of insurance companies doing business in this State;

8 2. To exercise all the rights, powers and duties vested by law in  
9 the Corporation Commission pertaining to the supervision, inspec-  
10 tion and examination of public and private banks, loan and trust  
11 companies or corporations.

## THE DEPARTMENT OF TAXATION AND REVENUE

SEC. 56. The Department of Taxation and Revenue shall have  
2 power and it shall be its duty:

3 1. To exercise the rights, powers and duties vested by law in the  
4 Department of Revenue, its officers and employees;

5 2. To exercise the rights, powers and duties vested by law in the  
6 State Board of Equalization;

7 3. To exercise the rights, powers and duties vested by law in  
8 the Department of Insurance and Commissioner of Insurance per-  
9 taining to the assessment and collection of taxes on gross premium  
10 receipts of insurance companies doing business in this State;

11 4. To exercise the rights, powers and duties vested by law in  
12 the State Board of Education pertaining to the assessment and  
13 collection of taxes on privately owned swamp lands reclaimed by  
14 the State;

15 5. To exercise the rights, powers and duties vested by law in  
16 the Auditor pertaining to the assessment and collection of franchise  
17 and other taxes;

18 6. To exercise the rights, powers and duties vested by law in  
19 the Commissioner, Board and Department of Agriculture pertain-  
20 ing to the assessment and collection of taxes on fertilizer, gasoline,  
21 oils, and other commodities;

22 7. To exercise the rights, powers and duties vested by law in  
23 the Secretary of State pertaining to the assessment and collection  
24 of license fees on motor vehicles, the assessment and collection of  
25 tax on gasoline, and the issuance of automobile licenses and opera-  
26 tors' certificates;

27 8. To prepare and report to the Governor or Auditor, when  
28 requested, estimates of the income and revenues of the department.

## THE DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS

SEC. 57. The Department of Highways and Public Works shall  
2 have power and it shall be its duty:

3 1. To exercise the rights, powers and duties vested by law in  
4 the State Highway Commission, the State Highway Engineer, and



5 other officers and employees of the State highway service, other  
6 than those rights, powers and duties vested by this act in advisory  
7 and non-executive boards;

8 2. To exercise the rights, powers and duties vested by law in  
9 the boards of managers, directors or trustees respectively of the  
10 State institutions pertaining to the erection, construction or per-  
11 manent improvement of buildings under the control of such boards;

12 3. To exercise the rights, powers and duties vested by law in  
13 the State Board of Education pertaining to the reclamation or  
14 other improvements of State-owned swamp lands;

15 4. To exercise the rights, powers and duties vested by law in  
16 the Geological Board and State Geologist pertaining to the location,  
17 construction or maintenance of highways and appurtenances;

18 5. To prepare, or cause to be prepared, general plans, prelimi-  
19 nary sketches and estimates for public building to be erected for  
20 any department or State institution;

21 6. To have general supervision over the erection and construc-  
22 tion of public buildings erected for any department or State insti-  
23 tution and over the inspection of all materials previous to their  
24 incorporation into such building or work;

25 7. To make contracts for, and supervise the construction and  
26 repair of, buildings under the control of any department or State  
27 institution;

28 8. To prepare and suggest comprehensive plans for the develop-  
29 ment of grounds and buildings under the control of any department  
30 or State institution;

31 9. To make and provide all drawings, plans, specifications and  
32 models for the construction and perfection of all systems of sewer-  
33 age, drainage and plumbing for the State in connection with the  
34 buildings and grounds under the control of any department or  
35 State institution;

36 10. To erect, supervise and maintain all public monuments and  
37 memorials erected by the State, except where the supervision and  
38 maintenance thereof is otherwise provided by law;

39 11. To supervise all engineering projects and public-works im-  
40 provements undertaken by the State.

SEC. 58. The State Highway Commission shall, in addition to  
2 the power vested by this act in advisory and non-executive boards,  
3 have power, and it shall be its duty:

4 1. To advise relative to the location, construction, improvement  
5 and maintenance of State highways.

## THE DEPARTMENT OF WELFARE

SEC. 59. The Department of Welfare shall have power and it shall be its duty:

1. To exercise the statutory rights, powers and duties vested in the State Board of Charities and Public Welfare: *Provided*, that the power of visitation and inspection shall be retained by said board;

2. To exercise the rights, powers and duties vested by law in the Child Welfare Commission, its officers, agents and employees.

SEC. 60. The State Board of Charities shall, in addition to the power vested by this act in advisory and non-executive boards, have power, and it shall be its duty:

1. To investigate into the condition and management of the whole system of charitable, penal and reformatory institutions of the State, including State hospitals, the State prison, convict camps, reformatories, jails, almshouses, and private charitable institutions of whatever character;

2. To investigate, when directed by the Governor, into any and all phases of the equipment, management or policy of any State charitable, penal or reformatory institution, and report its findings and recommendations to the Governor;

3. To inquire into the equipment, management and policies of all institutions and organizations coming under the supervision and inspection of the Department of Welfare;

4. To collect and publish annually statistics relating to dependency, delinquency and kindred social problems;

5. To promote the passage of remedial and constructive legislation pertaining to the field of social welfare.

SEC. 61. The Commission on Mental Hygiene, acting as an advisory and non-executive board, shall have power and it shall be its duty:

1. To make investigations and studies of the mentally defective, the causes, prevention and cure of mental defectiveness;

2. To suggest and devise ways and means of coördinating the activities of the State institutions for the mentally defective, with particular reference to such matters as care and treatment of inmates, vocational and industrial training, after-care supervision and business methods;

3. To formulate a program and policy on mental hygiene for the guidance of the Governor and other agencies;

4. To elect its own officers, adopt by-laws, and meet not less than four times each year.



SEC. 62. The Council of Public Welfare shall, in addition to the power vested by this act in advisory and non-executive boards, have power, and it shall be its duty:

1. To act as a clearing-house of information for all institutions and agencies, public and private, on matters affecting all social-welfare problems;

2. To conduct investigational work and research on social-welfare problems, including such subjects as institutional management and policy, the collection, analysis and publication of statistics, per capita costs, ratios between attendants and patients, pay patients, finances, employment and training, teaching methods, admissions, discharges, after-care and extension work, county and municipal welfare activities, management of private institutions, and other subjects of related character;

3. To make recommendations to the several institutions, the Governor and other agencies for the coördination of welfare activities, the avoidance of duplication and friction, and the adoption of a welfare policy for the State;

4. To elect its own officers, adopt suitable by-laws and to appoint a paid secretary, who shall carry on the investigational and research activities of the council;

5. To meet not less than four times a year in regular session and at such other times as may be called by the chairman through the secretary.

6. To promote the passage of remedial and progressive legislation on subjects pertaining to the field of social welfare;

7. To maintain in its discretion a laboratory or laboratories at any institution within the jurisdiction of the department for the purpose of research into the causes, the cure and the prevention of the defects, disabilities and delinquencies for which custody or confinement are provided, and to select and appoint a laboratory chief, whose duties shall be confined to such research work;

8. To co-operate with the various departments or institutions in social research and scientific work useful in the prosecution of the work of any department or institution.

SEC. 63. The Advisory Board of Parole, as constituted under this act, shall have power and it shall be its duty:

1. To exercise the rights, powers and duties heretofore vested by law in the chairman of the State Board of Charities and Public Welfare and the chairman of the board of directors of the State Prison as members of the Advisory Board of Parole.

## THE DEPARTMENT OF MILITARY AFFAIRS

SEC. 64. The Department of Military Affairs shall have power  
2 and it shall be its duty:

3 1. To exercise the rights, powers and duties vested by law in the  
4 Adjutant-General's Department;

5 2. To exercise the rights, powers and duties vested by law in the  
6 Soldier Settlement Board, its officers and employees;

7 3. To exercise the rights, powers and duties vested by law in the  
8 property and disbursing officer for North Carolina;

9 4. To exercise the rights, powers and duties vested by law in the  
10 property and disbursing officer for the United States.

## THE DEPARTMENT OF PUBLIC UTILITIES

SEC. 65. The Department of Public Utilities shall have power  
2 and it shall be its duty:

3 1. To exercise, through the Public Utilities Commission created  
4 by this act, all the rights, powers and duties vested by law in the  
5 Corporation Commission, its officers and employees, other than  
6 those rights, powers and duties pertaining to the supervision, in-  
7 spection and examination of public and private banks, loan and  
8 trust companies or corporations.

SEC. 66. The boards of trustees of the University of North Caro-  
2 lina, North Carolina State College of Agriculture and Engineering,  
3 Women's College of North Carolina, and Negro Agricultural and  
4 Technical College of North Carolina shall each consist of twenty  
5 members appointed by the Governor, with the consent of the Sen-  
6 ate, from each of the judicial districts of the State. Their term of  
7 office shall be five years, four expiring each year. The Governor  
8 and Superintendent of Public Instruction shall be *ex-officio* mem-  
9 bers of such boards. Within thirty days after this act takes effect,  
10 the Governor shall appoint the members of each board, as follows:  
11 Four members for a term of one year, four members for a term of  
12 two years, four members for a term of three years, four members  
13 for a term of four years, and four members for a term of five years.  
14 As the terms of these members first appointed under this section  
15 expire, their successors and all trustees appointed thereafter shall  
16 be appointed for a term of five years. All vacancies shall be filled  
17 by appointment by the Governor as prescribed in Section 12 of  
18 this act.

SEC. 67. The boards of trustees of the East Carolina Teachers'  
2 College, Cullowhee Normal and Industrial School, Appalachian



3 Training School for Teachers, Cherokee Indian Normal School of  
 4 Robeson County, Slater Industrial and State Normal School for  
 5 Negroes, Negro Normal School at Fayetteville, and Negro Normal  
 6 School at Elizabeth City shall each consist of five members, who  
 7 shall be appointed by the State Board of Education. Each person  
 8 so appointed shall reside within the area served by the respective  
 9 schools: *Provided*, that not more than two shall be residents of the  
 10 same county. Their term of office shall be five years, one expiring  
 11 each year. Within thirty days after this act takes effect, the State  
 12 Board of Education shall appoint the members of each board, as  
 13 follows: One member for a term of one year, one member for a  
 14 term of two years, one member for a term of three years, one mem-  
 15 ber for a term of four years, and one member for a term of five  
 16 years. As the terms of these members first appointed under this  
 17 section expire, their successors and all trustees appointed thereafter  
 18 shall be appointed for a term of five years. All vacancies shall be  
 19 filled by appointment by the State Board of Education.

SEC. 68. The Superintendent of Public Instruction shall have  
 2 power to appoint and remove, for cause, the principals or adminis-  
 3 trative heads of each of the normal schools under the supervision  
 4 of the State Board of Education. Members of the teaching staffs  
 5 and other employees shall be appointed by the respective princi-  
 6 pals or administrative heads, subject to the approval of the local  
 7 board of trustees, and may be removed by him for cause.

SEC. 69. The State Board of Health shall constitute *ex officio*  
 2 the board of trustees of the North Carolina Sanatorium for the  
 3 Treatment of Tuberculosis and the North Carolina Orthopædic  
 4 Hospital.

SEC. 70. The boards of trustees of the State Hospital at Raleigh,  
 2 the State Hospital at Morganton, the State Hospital at Goldsboro,  
 3 Caswell Training School, the State Prison, Stonewall Jackson  
 4 Manual Training and Industrial School, State Home and Indus-  
 5 trial School for Girls and Women, State Training School for Negro  
 6 Boys, State School for the Blind and Deaf, the North Carolina  
 7 School for the Deaf, the Soldiers' Home, and the Confederate  
 8 Woman's Home shall each consist of five members, who shall be  
 9 appointed by the Governor, with the consent of the Senate: *Pro-*  
 10 *vided*, that appointments to each of the boards of trustees of the  
 11 two institutions last named shall be made upon nominations by the  
 12 Soldiers' Home Association and Confederate Woman's Home Asso-  
 13 ciation, respectively. Within thirty days after this act takes effect,  
 14 the Governor shall appoint the members of each board, as follows:

15 One member for a term of one year, one member for a term of two  
 16 years, one member for a term of three years, one member for a  
 17 term of four years, and one member for a term of five years. As  
 18 the terms of these members first appointed under this section expire,  
 19 their successors and all trustees appointed thereafter shall be ap-  
 20 pointed for a term of five years. All vacancies shall be filled by  
 21 appointment by the Governor as prescribed in Section 12 of this act.

SEC. 71. The board of trustees of each of the State institutions  
 2 mentioned in sections 67, 69 and 70 shall, with respect to its field  
 3 of work, or that of the institution with which it is associated have  
 4 the following powers and duties:

5 1. To exercise the corporate rights, powers and duties of each  
 6 incorporated institution;

7 2. To advise the head of the institution as to the management  
 8 and policy of the institution;

9 3. To suggest rules and regulations for the government of the  
 10 institution, its finances, admissions, discharges and control of per-  
 11 sons admitted or received;

12 4. To recommend upon its own initiative, policies and practices,  
 13 which recommendations the head of the institution will duly con-  
 14 sider, and to give advice or make recommendations to the Governor  
 15 and the general assembly when so requested, or upon their own  
 16 initiative;

17 5. To investigate the conduct of the institution with which it  
 18 may be associated, and for this purpose to have access, at any time,  
 19 to all books, papers, documents and records pertaining and belong-  
 20 ing thereto, and to require written or oral information from any  
 21 officer or employee thereof;

22 6. To adopt rules, not inconsistent with law, for its internal  
 23 control and management, a copy of which rules shall be filed with  
 24 the head of the institution with which such board is associated;

25 7. To hold meetings at such times and places as may be prescribed  
 26 by the rules, not less frequently, however, than quarterly;

27 8. To act by a sub-committee, or by a majority of the board, if  
 28 the rules so prescribe;

29 9. To keep minutes of the transaction of each session, regular or  
 30 special, which shall be public records and filed with the head of the  
 31 institution;

32 10. To give notice to the Governor and to the head of the insti-  
 33 tution with which it is associated of the time and place of every  
 34 meeting, regular or special, and to permit the Governor and institu-  
 35 tion head to be present and to be heard upon any matter coming  
 36 before such board;



37 11. To appoint and remove for cause the superintendent or prin-  
 38 cipal of the institution with which it is associated except where  
 39 otherwise provided in this act, but the right of appeal to the Gov-  
 40 ernor shall not be denied the head of any institution so removed;

41 12. To confer, in the educational institutions, certificates of  
 42 proficiency or marks of merit and diplomas as are usually conferred  
 43 by such institution;

44 13. To study and consider the entire field with which it is con-  
 45 nected.

SEC. 72. The superintendent or principal of each institution  
 2 mentioned in Sections 67, 69 and 70 shall have power:

3 1. To advise with the board of trustees as to the management,  
 4 finances and policy of the institution;

5 2. To direct and superintend the management and control of  
 6 the institution, its officers, employees and persons admitted or re-  
 7 ceived: *Provided*, that in the case of the educational institutions,  
 8 and the tuberculosis sanatorium and orthopaedic hospital, such  
 9 action shall be subject to the approval of the superintendent of  
 10 public instruction and commissioner of health respectively;

11 3. To prescribe rules and regulations, after conferring with the  
 12 board of trustees, for the government and operation of the institu-  
 13 tion, its officers, employees and persons admitted or received.

SEC. 73. The State Hospital for the Dangerous Insane is hereby  
 2 abolished and the inmates thereof shall be committed and trans-  
 3 ferred to the respective State hospitals for the insane on the basis  
 4 of color and residence now governing admissions to such hospitals.  
 5 Persons so committed and transferred at the time this act takes ef-  
 6 fect and all insane criminals committed thereafter, shall be confined  
 7 and segregated in separate wards under proper custody and super-  
 8 vision. The rights, powers and duties of the board of directors of  
 9 the State Hospital for the Dangerous Insane shall be transferred to  
 10 the respective boards of trustees of the State hospitals for the  
 11 insane in accordance with the provisions of Section 71 of this act.

SEC. 74. All laws and clauses of laws in conflict with this act  
 2 and provisions of this act are hereby repealed.

SEC. 75. This act shall not be in force until January first, one  
 2 thousand nine hundred and twenty-five.





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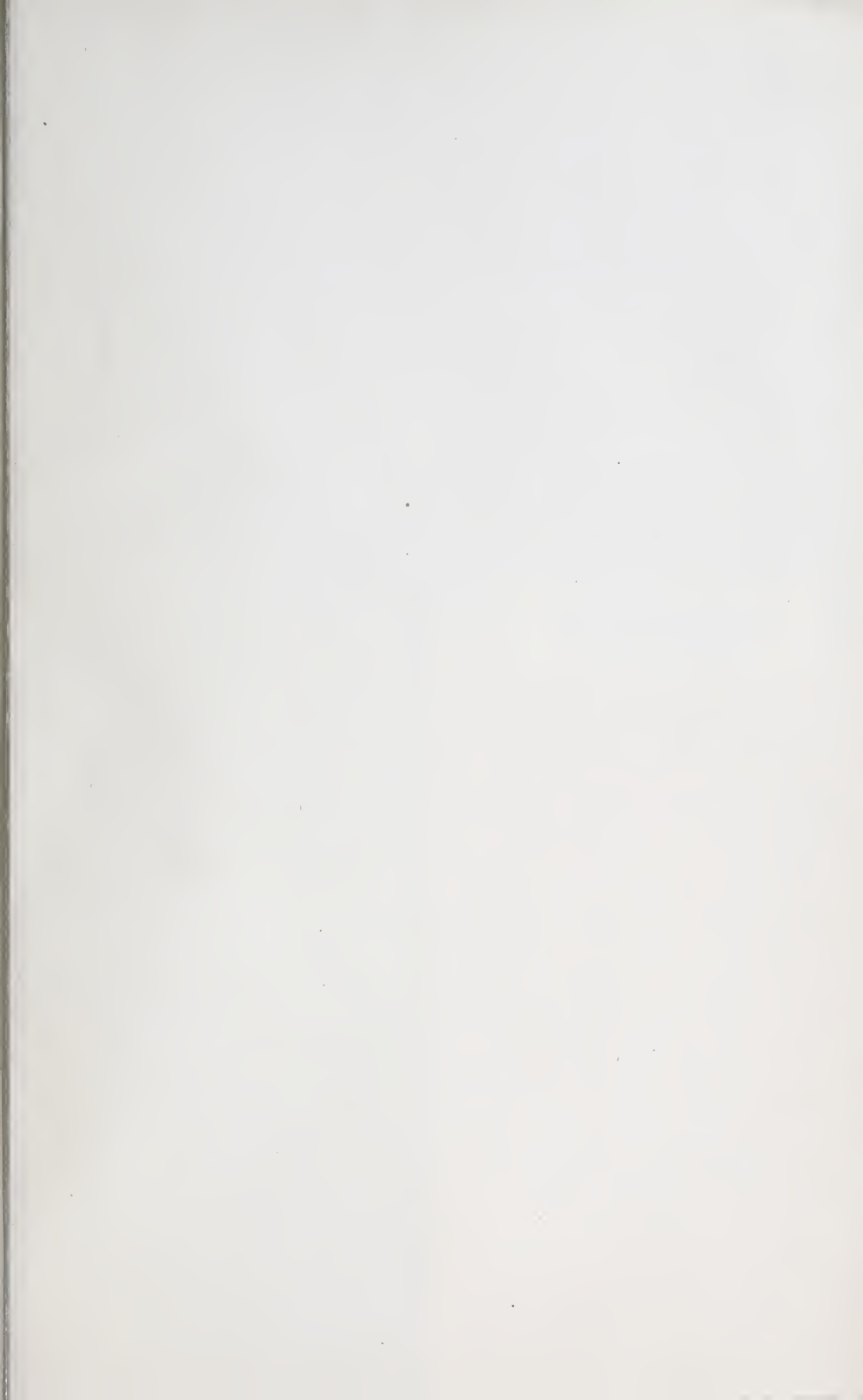
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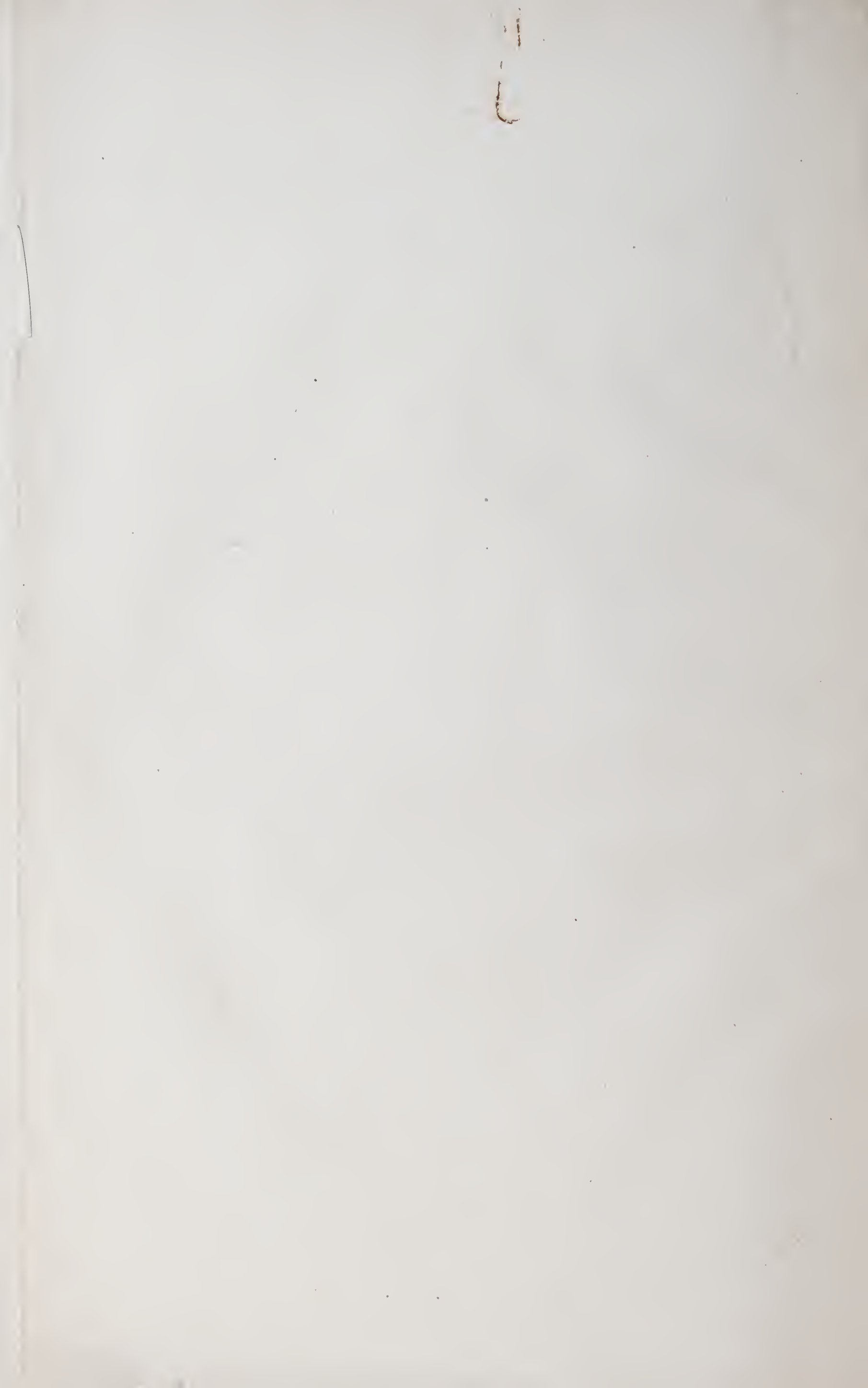


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